



CHESTER J. CULVER
GOVERNOR

PATTY JUDGE
LT. GOVERNOR

WALTER REED, JR.
DIRECTOR

DIVISIONS OF:
COMMUNITY ACTION AGENCIES
CRIMINAL & JUVENILE JUSTICE PLANNING
DEAF SERVICES
LATINO AFFAIRS
PERSONS WITH DISABILITIES
STATUS OF AFRICAN AMERICANS
STATUS OF WOMEN
STATUS OF ASIAN-PACIFIC ISLANDERS

Iowa Commission on Native American Affairs
October 17, 2008, 10:00a.m.
Room 201, Lucas Building
Des Moines, Iowa

X	Judy Allen	X	Larry Lasley	X	Franklin Dean Phillips
X	Joe Dan Coulter	X	George Leduc	X	Greer Sisson
X	Vicky Apala-Cuevas	X	Theresa Essmann-Mahoney	X	Judy Yellowbank
X	John Jewett	X	Karen Mackey		
X	Walter Reed, Jr., DHR	X	Brian Jennings, IGOV		

Also in attendance were Darla Welch, serving as recording secretary, Cyndi Schrader and Erin Marth from the Iowa Civil Rights Commission (ICRC), and numerous members of the public.

The meeting was called to order by Human Rights Director Walter Reed, Jr. at 10:05am.

1. Introduction of Commissioners, and
2. Orientation to the Iowa Department of Human Rights

Following introductions, Director Reed presented a brief snapshot of the Department of Human Rights (DHR), and distributed department brochures. DHR has made a number of positive strides within the past four years to serve the diverse populations of the State of Iowa, including formation of the Iowa Commission on Native American Affairs (ICNAA). Governor Culver is extremely pleased with the opportunity and has committed to providing support and guidance wherever possible.

In addition, the ICRC has made it possible for DHR to bring in a VISTA-AmeriCorp worker, Erica Beaty, who will work with Secretary Welch to provide staff support to the commission. Her primary responsibilities will include data research, fundraising, and staff support in terms of logistics for commission meetings and implementing programs. VISTA has been in existence for over 40 years as the anti-poverty branch of AmeriCorp.

3. Overview of Authorizing Legislation

Brian Jennings, Policy Assistant, IGOV, read a welcome letter from Iowa Governor Culver and expressed that the formation of ICNAA was one of Governor Culver's priorities last year. He then gave an overview of the Commission background and responsibilities.

The ICNAA was created by Senate File 2400, which was signed into law on May 12, 2008. House File 2700 slightly modified statutes governing the Commission and was signed May 15, 2008.

Senate File 2400 established that the commission will have 11 members. Four members are to be selected by and represent tribal governments. Seven at-large members will be directly appointed by the Governor, one of whom must be an enrolled tribal member living on a settlement or reservation in Iowa and whose tribal government is located in the state. Membership is balanced by gender and political party. A Division Administrator for the commission will not be hired until July 2009.

Purpose: The purpose of the commission shall be to work in concert with Native American groups and Native Americans in the state to advance the interests of Native Americans in the areas of human rights, access to justice, economic equality, and the elimination of discrimination.

Duties of the commission are set out in the legislation and were outlined in the handout provided by Brian Jennings (a copy of which is file with these Minutes). Of utmost importance is the need to get word out to the Native American community about programs that are available, and methods of accessing those programs. It was pointed out as an example that only one known Native American has ever applied for SBA assistance within the State of Iowa.

The commission does have certain limitations within the code. (1) It shall not have any authority relative to Indian gaming issues under the federal Indian Gaming Regulatory Act; (2) It may not interfere with matters related to ancient human skeletal remains and associated artifacts under the Federal Native American Graves Protection and Repatriation Act; and the National Historic Preservation Act; and (3) The creation of the commission in no way diminishes or inhibits the right of any tribal government to interact directly with the state or any of its departments or agencies.

The ICNAA is required to file an annual report not later than February 1 of each year. The report will be filed in electronic format to the Governor and General Assembly and will detail the Commission's activities and make recommendations for legislative and other policy changes.

In addition, prior to June 1, 2009, the ICNAA is required to submit a Special Transition Report to the Director of Human Rights, including a job description for the administrator of the division, division operation goals, and performance measures for achievement of division goals.

Jennings then opened his portion of the meeting up for questions. Commission Joe Coulter inquired whether there are any members of the Native American community on the State Preparedness Panel. Jennings indicated he is not aware that there are. He indicated there is a under-representation of Native Americans on all boards and commissions within the State of Iowa, and that it his hope that the formation of the ICNAA will help spread the word about the need for greater involvement within the community. Brian Jennings indicated that members of the ICNAA may also want to consider service on other boards or commissions throughout the state, or may know of others who would be good candidates.

A public guest inquired about the Governor's initiative that requires state agencies to hire more diverse employees. Jennings responded that the Governor signed Executive Order 4 regarding a State Diversity Council. The council is working on hiring with equal representation within the state. Director Reed indicated the Diversity Council has also been actively studying Blackhawk, Woodbury, and Polk counties on the issue of juvenile detention. The Diversity Council is an ongoing initiative of the Culver Administration.

A public guest inquired whether there were any population statistics within the state by county. Jennings indicated the Census showed there are approximately 11,000 Native Americans within the State, but indicated there is reason to believe this figure could be low. The Census website also contains data on unemployment, etc., by county. Commissioner Joe Coulter indicated there is annual data collected by the Department of Education that breaks out enrollment by school, race, and ethnicity. This information could present a more accurate indication of where the Native American populations are located within the state.

4. Commissioner Responsibilities

Director Reed indicated Brian Jennings had already covered much of commissioner duties in his presentation. He indicated that this point, staff support for the commission would consist of himself and Secretary Darla Welch.

Relating to the reports, Reed explained that there are templates available that will be sent to the commissioners. He indicated they should review the templates and tweak them as needed to reflect ICNAA issues.

Commissioners will be provided with State of Iowa ID cards.

5. Expense Reimbursement Process

Director Reed introduced the commissioners to DHR fiscal employee, Mike Adams. He presented ICNAA commissioners with a reference guide outlining reimbursement policies, effective October 2008.

Highlights include round trip mileage reimbursement for commission travel at the rate of \$0.39 per mile. Meal reimbursements are made at the following rates: Breakfast \$8.00, Lunch \$12.00, and Dinner \$23.00. It was pointed out that breakfast is reimbursable if the commissioner leaves home prior to 6:00am, and dinner is reimbursable if the commissioner arrives home after 6:00pm. Receipts are not necessary for meal reimbursement.

Lodging is reimbursed at the "state" rate (different than the "government" rate) of \$75.00 plus tax. An original receipt is required for lodging reimbursement, and must show payment with a "0" balance remaining due. Most hotels will only honor the state rate Monday-Thursday.

Commissioners were provided with a sample Non-Employee Expenses reimbursement form with detailed instructions on the reverse. Only the upper portion of the form should be completed (down to the signature line). Special attention should be paid to "M", explanation of the nature of the travel. Forms must be signed in ink. Once completed, reimbursement request forms should be sent to Director Walter Reed, Jr. for authorization. Typically it takes 2-3 days from the date the request is received to process payment. Unless a direct deposit form is filed, paper checks will be mailed.

Commissioners completed Substitute W9/Vendor Update Forms, as required by the IRS and the Iowa Department of Revenue for reimbursement. Those who wished could request direct deposit forms as well.

In the event a commissioner attends a conference, there are additional rules. A copy of the conference brochure must be submitted with the request for reimbursement, as well as the registration form and receipt. Call Mike Adams, 515 242-6312, for additional information.

6. Election of Officers

On October 2, Secretary Welch mailed nomination forms to all commissioners for the offices of Chair and Vice-Chair, with nominations due by October 10. She also provided a listing of commissioner names. Two nomination forms were received in response, and election ballots were created.

Brian Jennings clarified that the term of office for Chair and Vice-Chair will be one year.

Erin Marth and Brian Jennings were appointed ballot counters for the election. Secretary Welch indicated ballots would be kept on file for the period of one year.

Nominees for the office of Chair were Judy Allen and Franklin Phillips. Nominations were opened, with Judy Yellowbank being nominated from the floor. There being no further nominations from the floor, nominations were closed. Commissioners were instructed to add the name Judy Yellowbank to their ballot forms.

Each nominee was allotted time for an introduction and brief background information.

Ballots were collected by the ballot counters who reported that Judy Allan had been elected Commission Chair.

Nominees for the office of Vice Chair were Judy Allen and Franklin Phillips. With Judy Allen having been elected Chair, Commissioners were instructed to delete her name from the ballot. Nominations were opened, with Judy Yellowbank and Theresa Essmann Mahoney being nominated from the floor. There being no further nominations from the floor, nominations were closed. Commissioners were instructed to add the names Judy Yellowbank and Theresa Essmann Mahoney to their ballot forms.

Each new nominee was allotted time for an introduction and brief background information.

Ballots were collected by the ballot counters who reported that Judy Yellowbank had been elected Commission Vice Chair.

7a. Discussion of Commission Goals (as they pertain to Reporting)

Kathryn Baumann-Reese, Division Administrator of the Iowa Deaf Services Commission, was called upon to discuss the Commission Performance Plan and the Accountable Government Act. Her presentation was outlined in handout form, a copy of which is file with these Minutes.

The Iowa Accountable Government Act was created to shape the mission and direction for the commission, ensure leadership and resources, and monitor and improve performance. There are three things a commission is responsible for under the Act. (1) Creating community benefit and quality of life; (2) Making sure the work of the commission mirrors the values of its citizens; and (3) Ensuring the agency capacity to do its work.

The Act requires Iowa state government to adopt a performance results system. This includes strategic planning, performance planning, performance measures, results-based budgeting, performance reporting, performance audits, and return on investment.

For each 4-year term, the Governor and Lt. Governor announce their Enterprise Plan. The Culver/Judge Leadership Agenda includes Workforce Development and Economic Growth, Energy and Environment, Health Care, Education, and Safe Just and Inclusive Communities. Enterprise Teams have been formed for each of these areas. Each Department has input into the planning process. Some Departments have been assigned as Lead Agencies for various projects; and other take the role of supporting agency.

Based on the Enterprise Plan, Divisions establish their own Strategic Plan. The Code sets out things that a commission must do. At the same time, you must consider how those items fit into the Leadership Agenda. Strategic Plans are revised annually, but are set up to look 3-5 years ahead and are an assessment of where the Division is today, its vision, goals, strategies and performance measures. The Strategic Plan ties in heavily with the Enterprise Plan, and completed plans or updates are due December 31 annually.

Based on the Strategic Plan, and working closely with the Director, an annual Performance Plan is put into affect, establishing outcomes, performance measurements and strategies/actions. The Performance Plan is tied to budget requests, and is due August 31. It sets out what a commission can do with their budget to accomplish those goals set out in the Strategic Plan.

Every year, commissions are required to report on their performance. The report covers one year and gives and overview, strategic results, and performance results. Performance measure data is due August 31 of each year, with the entire performance report due December 15. Kathryn Baumann-Reese mentioned that each time the Deaf Services Commission meets, they have found it helpful to report on what has happened during the last quarter, based on their Division's Strategic Plan. By the end of the year, they have accumulated most of the information required for their annual report.

The State of Iowa does have a Strategic Planning Guide that helps agencies through the process, and the Department of Management may also be available with assistance.

At this point in the meeting, Director Reed recessed the Commission for lunch. Following lunch Director Reed reconvened the meeting for the purpose of discussing activities the commission would like to be engaged in to provide a sense of direction for the next commission meeting. He turned control of the meeting to Chair Judy Allen.

The Chair briefed the Commission and guests on a matter of Native American protocol, which calls for the opening of each meeting with a prayer, and led the group in an invocation.

7b. Discussion of Commissioners' Goals

Commissioners were asked to brainstorm activities that they would like to see the commission engaged in.

- Public Health. Joe Coulter mentioned that after 9/11, a large amount of money was given to states, and that the statement was made that the state would share with the Native Americans. They have been working with the Center for Disease Control on establishing guidelines on how states can work with the various tribes. The money was originally to be used for preparedness; however, it is now designated as all-hazard preparedness. It was intended that each state would establish a committee(s) to act as advisors on such activities as training, equipment purchases, coordinating responses, radio communications, etc. Coulter suggested the commission work with the Iowa Department of Public Health to find out which committee(s) are overseeing this and offer suggestions of Native American representatives to serve on the committee(s) so tribal people are included in these activities and receive resources. Judy Allen indicated that CERT training is available in some areas and that the commission needs to tap into this information. Money is being sent out countywide, but needs to be shared. Director Reed indicated there is also an Office of Minority Health and other areas that the commission should be represented on. He suggested the commission might want to invite a representative to attend one of our next commission meetings to discuss early childhood issues as well.
- Small Business Services.
- Housing Education and Public Housing Discrimination
- Access to justice. Commissioner Theresa Essmann Mahoney suggested the commission come up with a way to help the State of Iowa understand the Indian Child Welfare Act and why children are such a priority to Native Americans. Native Americans need to feel that they are getting a fair hearing in state courts. Commissioner John Coulter indicated one of the challenges is getting Native Americans to better understand and join in the process and become foster parents. Director Reed indicated it is common that services are being provided within an area, but that Native American children are not getting access to the services. Chairman Allen indicated the home study program is testing a separate home study curriculum made specifically for Native American Children, and that some tribes even have their own licensing system for home schooling.

Brian Jennings asked if any of the state programs are being made available to the Native American community or if they are missing them. Commissioner Judy Yellowbank indicated that many of these programs are not reaching their children, especially summer youth programs. Commissioner Joe Coulter suggested there should be Native American representation on committees that oversee these programs. Jennings did qualify that many of these boards are federally dictated. In addition to state requirements, many face requirements such as being a labor member, a business owner, etc. It's possible at-large positions could be established where individuals would not have to meet all of the requirements. While Native Americans are most eligible for these services, the problem seems to arise with getting the word out. Director Reed indicated it is important that members of this Commission talk to people to inform them what the processes are and to encourage their community to attend meetings as advocates.

- DHS funding guidelines. Commissioner Mahoney suggested that DHS funding guidelines need to be revised as far as where family lines fall. There are issues of "kinship care" which require relatives to go through foster parenting classes in order to even care for their own grandchildren in their homes.
- Director Reed inquired about issues with employment. Some areas within the state are experiencing issues while others are not.

The Chair asked Brian Jennings how the commission should go about advising the Governor's office of issues. Jennings replied they could do this on their February 1 report, or just make a phone call to him at any time. He suggested that they arrive at 3-4 issues that face Native Americans and have an individual head up each activity. The Governor's office responds on which issues they can and cannot support.

He pointed out that commissioners can become registered lobbyists and lobby their legislators on behalf of the commission to enact bills. In addition, anyone can talk to their own legislators as well. The commission can advocate on something that will affect Native Americans directly and ask for funding for those items, i.e. staff support.

- Access to social services.
- Providing funding for Native Americans to keep getting job training, keeping families safe and intact, etc.
- Empowering people. Native Americans don't always realize what resources there are or what they need to do to make certain they aren't taken advantage of. They are not educated in what help is available or where to go to get help.
- Funding to local agencies to help with advocacy.
- Public awareness. Commissioner Joe Coulter indicated Native Americans are generally treated very stereotypically. For example, they don't have a standard health care program; they don't get a monthly check; they do pay taxes, etc. These are representative of the misconceptions that non-Native Americans have about them. Brian Jennings suggested perhaps holding occasional public meetings with press invited to bring forward and address these misconceptions.
- Housing is an issue. The Iowa Housing authority is working on this to find out what is needed and where. Their final goal will be to actually provide needed housing.
- Cultural sensitivity. A meeting guest indicated there have been numerous times when law enforcement has taken items of religious significance away from those who are incarcerated.

Brian Jennings asked the commission to determine what they want to focus on – not only issues, but activities we well. He indicated the commission should take the issues arrived at today, then prioritize them at the next meeting. In addition, he suggested at the next meeting looking at what a budget would actually look like, as well as looking at what the staff position job description would look like.

He indicated it would be appropriate to have a display in the capitol rotunda, and that the commission should have a hand in planning this to represent all of the various tribes. Public Commissioner Joe Coulter indicated he would like to see the Chairs and other commissioners invited to events so that others can see that this is going to be an active commission.

Director Reed indicated the commission has captured a number of recommendations and ideas from this meeting. We will work to put a summary together with ideas from this meeting as well as meetings that were held earlier. He will send this out and will also include prioritization as an agenda item for the next meeting. He indicated we will also allow time on each agenda for public input/comments.

He and Secretary Welch will take care of complying with Open Meeting Laws as far as press releases, posting notices of meetings, etc.

He made special acknowledgement of attendees, Robert Knuth and Irma Wine who were the first people who came to the Governor and talked to him about the need for such a commission.

Director Reed indicated as the Governor's liaison, one of his responsibilities will be to remain sensitive to cultural customs, while making certain that the commission does not violate any state laws as we move forward. He reminded commissioners that there may be state provisions that will impact what the commission wants to do, and that it is necessary this be understood from the onset.

8. Establish date for future commission meetings

The Governor's office will host a general new commissioner orientation on November 17. This orientation is open to all new commissioners appointed to any boards and commissions. Among numerous items, this orientation will cover ethics laws. Commissioners are encouraged to attend this meeting from 10:00-3:30 (Note: this is the actual time, different than previously indicated). The question was raised regarding reimbursement for travel expenses. Director Reed indicated we would be able to reimburse expenses providing we hold a brief commission meeting immediately following the Governor's orientation. Secretary Welch will set up a meeting location and advise the commissioners.

Brian Jennings indicated various individuals have suggested that the regular commission meeting locations be rotated. Director Reed suggested we could also set up ICN sites around the state that might be easier to get to in the event of inclement weather.

The next regular meeting is scheduled for Friday, January 16, 10:00-3:00, and will be in the Sioux City area. Vice Chair Judy Yellowbank will check with the Four Directions Center for availability and will also check into ICN capabilities. She will update the commission at the November meeting.

Brian Jennings will be attending the first year of commission meetings.

9. Miscellaneous and Adjournment

Secretary Welch asked visiting members of the public to sign up their e-mail addresses in order to be placed on notification for future meetings.

Commissioner Karen Mackey move the meeting be adjourned. The motion carried and the meeting adjourned at 2:21.

Respectfully submitted,
Darla R. Welch
Recording Secretary